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May 11, 2007

City of Las Vegas  
Planning & Development Department  
731 S. 4<sup>th</sup> Street  
Las Vegas, NV 89101

**Hand Delivered**

## ***RE: Justification Letter – Review of Condition***

Dear Planning and Development Department:

Please be advised this firm represents Shelley Jackson (the "**Applicant**") with respect to the enclosed application for a Review of Condition for Condition #4 of V-139-89(1) (the "**Condition**"). The Applicant requests that the Condition be removed from the approval of V-139-89(1).

This application relates to the use of an already existing guest house/casita ("**Casita**") on approximately .19 acres located at 1247 Douglas Drive (APN 162-05-210-021) (the "**Property**"). The Property is zoned R-1 and is designated Low – up to 5.49 under the General Plan.

To the Applicant's knowledge, the previous owner of the Property built the Casita in the early 1980's. Apparently, the previous owners of the Property had failed to acquire the proper approvals prior to construction of the Casita and came forward with a request for a variance, which the City Council approved in V-139-89(1), but with the Condition attached. The Condition provides, "[t]he Approval of this variance is limited only to only these applicants. If the property is sold or rented, the guest house shall be converted back to a storage room or garage."

The Applicant purchased the Property in December, 1992, with the Casita existing as it exists currently. The Applicant purchased the Property through the previous owner's estate after he passed away, and the Applicant had no knowledge of the Condition when she purchased the Property. The Applicant has made no modifications to the Casita since she purchased the Property. After owning the Property for nearly 15 years, the Applicant received notice that the Casita was never permitted or an approved use on the Property. The Applicant now requests the Condition be removed in order to bring the Casita into compliance.

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\*LICENSED IN ARIZONA ONLY

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Removal of the Condition is appropriate under these circumstances because the Applicant will suffer extreme hardship if it is not removed. The City has been on notice since 1997 that the Casita has existed on the Property, as evidenced by the City's request that the Applicant pay sewer service fees for a second residential unit on the Property. *See Exhibit "A," letter from the City of Las Vegas dated April 11, 1997.* The Casita has not posed any danger to the primary structure on the Property or the surrounding area since the Applicant acquired the Property. Given the hardship the Applicant will endure if these requests are not granted and the lack of prior problems with the Casita, the Applicant respectfully requests removal of the Condition.

Thank you for your consideration of this request. Please contact me at (702) 863-3306 if you have any questions or comments.

Very truly yours,

JONES VARGAS

A handwritten signature in black ink, appearing to read 'Katie Fellows', with a long horizontal flourish extending to the right.

Katie Fellows

Enclosures

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